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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,046	10/10/2001	Soon-ho Jung	Q65216	5067

7590 08/25/2004

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EXAMINER

TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/973,046	JUNG, SOON-HO	
	Examiner	Art Unit	
	BINH K. TIEU	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Sprague et al. (U.S. Pat. #: 5,247,575).

Regarding claim 1, Sprague et al. ("Sprague") teaches a control method for controlling mutual wireless data transmission and reception between a terminal and a server (i.e., between base station 10 or newsbox 30 and one of PC computer, fax machine, etc. as shown in figure 1) that is embedded with a Bluetooth function, comprising the steps of:

- a) preparing a database which stores data to be transmitted from the server to the terminal, the data being classified into a plurality of items (i.e., data collections classified as news reports, stock market quotations, sports scores, etc. are stored in a database of base station 10 and in local FM or TV stations 20, as shown in figure 1, col.9, lines 14-43);
- b) transmitting to the terminal an item selecting program (i.e., user display interface, col.19, lines 21-30; col.20, lines 19-33), through which a user selects at least one of

the items that the user wishes to receive from the server (i.e., user inputs search criteria into the display interface, etc. col.20, line 43 – col.21, line 8);

c) receiving from the terminal a user's input item (i.e., receiving information packet (IP) identification) that is selected by the user through the item selecting program executed by the terminal (col.20, line 66 – col.21, line 3);

d) transmitting to the terminal data corresponding to the user's input item (col.21, lines 16-24).

Regarding claim 2, note col.17, line 57 – col.18, line 11.

Regarding claim 3, note col.20, lines 48-65.

3. Claims 5-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Takase et al. (U.S. Pat. #: 6,381,513).

Regarding claim 5, Takase et al by ("Takase") teaches a control method for controlling data transmission and reception of a terminal that is embedded with a Bluetooth function for mutual wireless data transmission and reception with a server, comprising the steps of:

i) receiving an item selecting program from the server, the item selecting program providing an item selecting menu through which a user can select at least one item in a database, the database storing data of a plurality of classified items (col.9, lines 25-44);

ii) displaying the item selecting menu by executing the item selecting program (col.9, lines 52-64);

iii) transmitting to the server data about a user's selection that is made through the item selecting program (col.9, line 65 – col.10, line 3);

iv) receiving from the server data corresponding to the time selected by the user (col.10, lines 3-5); and

v) displaying the data corresponding to the item selected by the user (col.10, lines 19-23).

Regarding claim 6, note col.5, lines 48-50.

Regarding claim 7, note col.6, lines 8-10.

Regarding claim 8, Takase teaches a system for wireless data transmission and reception, comprising:

a database (i.e., circulating source 5 shown in figure 1) for storing data to be provided to a user, the data classified into a plurality of items (col.5, lines 33-47);

a server for wirelessly transmitting both of an item selecting program that provides an item selecting menu through which the user selects at least one of the items, and a data corresponding to the item selected by the user (col.5, lines 48-50 and col.9, line 65 – col.10, line 3); and

a terminal for executing the item selecting program that is wirelessly received from the server so that the item selecting menu is displayed to the user, transmitting to the server data about the item that is selected through the item selecting menu and input by the user, and receiving and displaying data corresponding to the item selected by the user which is wirelessly transmitted from the server (col.9, line 25 – col.10, line 23).

Regarding claim 9, note col.6, lines 8-10.

4. Claims 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Inselberg (U.S. Pat. #: 6,760,595).

Regarding claim 10, Inselberg teaches a bluetooth server, as shown in figure 3, comprising:

a bluetooth data transception processing portion for wirelessly transmitting data to a terminal and receiving data from the terminal (col.6, lines 29-38);

a database for storing the data to be transmitted to the terminal, the data being classified into a plurality of items (col.11, lines 12-23 and lines 45-50);

a program transmitting portion for transmitting to the terminal through the Bluetooth data transception processing portion an item selecting program through which the user selects at least one item among the plurality of items (col.10, lines 20-40);

a data transmitting portion for transmitting data of the database corresponding to the item selected by the user to the terminal through the Bluetooth data processing portion, when receiving from the terminal the item selected by the user through the item selecting program (col.11, lines 14-23).

Regarding claim 11, Inselberg teaches a Bluetooth terminal (i.e., wireless interactive communication devices 10, 110-126 as shown in figures 1-3), comprising:

a Bluetooth data transception processing portion for wirelessly transmitting a data to server and receiving a data from the server (col.6, lines 7-38);

a program executing portion for receiving an item selecting program from the server through the Bluetooth data transception processing portion and executing the item selecting program, through which the user selects an item among a plurality of items (col.10, lines 20-61);

a command transmitting portion for transmitting to the server data corresponding to the item selected by the user through the item selecting program (col.9, lines 46-61 and col.11, lines 59-63); and

display means for displaying to the user the data received from the server, the data corresponding to the item selected by the user through the Bluetooth data transception processing portion (col.9, lines 8-22 and col.11, lines 14-23).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. (U.S. Pat. #: 5,247,575) in view of Ishizaki et al. (U.S. Pat. #: 5,884,140).

Regarding claim 4, Sprague teaches all subject matter as claimed above, except for the data stored in the database is voice data. However, Ishizaki et al. ("Ishizaki") teaches such features in col.4, lines 37-58 for a purpose of delivery of sound information to the user.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the feature of the data stored in the database is voice data, as taught by Ishizaki, into view of Sprague in order to allow user to receive selected item faster by listening to the received data than reading it.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishizaki et al. (U.S Pat. #: 5,884,140) also teaches a bluetooth server (i.e., databases server 11 and storage databases located in substations 13 as shown in figure 2) and bluetooth terminal (i.e., wireless terminal 250) comprising most of the features recited in claims 1-11).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

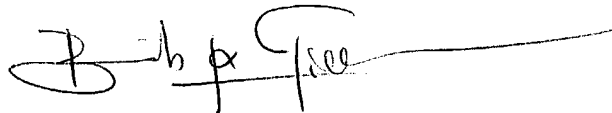
Any response to this action should be mailed to:

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Or faxed to:

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).



BINH TIEU
PRIMARY EXAMINER

Art Unit 2643

Date: August 20, 2004